

Bird & Van Dyke, Inc.
A Professional Law Corporation
David S. Van Dyke, CABN 154402
Mary Ann F. Bird, CABN 206770
2111 W. March Lane
Suite B300
Stockton, CA 95207
Telephone 209.414.3266
Facsimile 209.414.3268
Attorneys for Defendant BEN VAN PHAN

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

THE UNITED STATES OF AMERICA,

Plaintiff,

vs.

Y THI NHU LE AND BEN VAN PHAN,

Defendants.

Case No.: 2:23-CR-00188 WBS

STIPULATION AND ORDER TO
CONTINUE STATUS CONFERENCE

REQUESTED DATE: MAY 28, 2024
TIME: 9:00 A.M.
JUDGE: HON. WILLIAM B. SHUBB

STIPULATION

Plaintiff, United States of America, by and through its counsel of record, Heiko P. Coppola, and
Defendants Y Thi Nhu Le, by and through her counsel of record, Timote Tuitavuki, and Ben Van
Phan, by and through his counsel of record, Mary Ann F. Bird, (collectively, the “parties”)
hereby stipulate as follows:

1. By previous order, this matter was set for status conference on February 26, 2024 at 9:00
a.m. and time was ordered excluded in the interest of justice.
2. By this stipulation, the parties hereby move to continue the status conference to May 28,
2024 because counsels for the defendants need additional time to properly prepare a

1 defense. Specifically, defense counsels need the additional time based on the voluminous
2 nature of the discovery.

3 3. Counsels for the defendants believe that failure to grant the above requested continuance
4 would deny them the reasonable time necessary for effective preparation, taking into
5 account the exercise of due diligence and the Government does not object to the
6 continuance.
7

8 4. Based on the above stated findings, the ends of justice served by continuing the case as
9 requested outweigh the interest of the public and the defendants in a trial within the
10 original dates prescribed by the Speedy Trial Act.
11

12 5. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. section 3161, et
13 seq, within which trial must commence, the time period of February 26, 2024 to May 28,
14 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. 3161(h)(7)(A), B(iv)[Local
15 Code T4], because it results from a continuance granted by the Court at the defendant's
16 request on the basis of the Court's findings that the ends of justice served by taking such
17 action outweigh the best interest of the public and the defendant in a speedy trial.
18

19 6. Nothing in this stipulation and order shall preclude a finding that other provisions of the
20 Speedy Trial Act dictate that additional time periods are excludable from the period
21 within which a trial must commence.
22

23
24 IT IS SO STIPULATED.

25 Dated: February 21, 2024

Respectfully submitted,

PHILLIP A. TALBERT
United States Attorney

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27 BY: /s/ HEIKO P. COPPOLA
HEIKO P. COPPOLA
Assistant United States Attorney
28

Dated: February 21, 2024

____/s/TIMOTE FAKAOFO TUITAVUKI____
TIMOTE FAKAOFO TUITAVUKI
Attorney for Y Thi Nhu Le

Dated: February 21, 2024

____/s/ MARY ANN F. BIRD_____
MARY ANN F. BIRD
Attorney for Ben Van Phan


FINDINGS AND ORDER

The matter having come before the Court and for good cause appearing,

The Court hereby continues the status conference hearing to May 28, 2024 at 9:00 A.M.
Time is excluded under the Speedy Trial Act from February 26, 2024 up to and including May 28, 2024. The ends of justice outweigh the best interests of the public and the defendants in a trial within the original dates prescribed by the Speedy Trial Act.

IT IS SO ORDERED.

Dated: February 21, 2024



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE